



1-17-82 KWR
United States Department of State

Washington, D.C. 20520

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Dear Senator Kennedy:

I refer to your letter of November 3, 1982 in which you expressed your concerns about the human rights situation in El Salvador, Chile and Argentina. I appreciate the depth of your feelings on the situations in these three countries and will try to share with you some of my own views and concerns.

As you know the situation in El Salvador is a very difficult one. The Government is engaged in trying to suppress a Cuban-supported guerrilla insurgency while at the same time trying to improve its human rights performance. We believe that progress has been made. The number of noncombatant deaths has been significantly reduced in 1982. The decline in these deaths, first observed in late 1980, is clearly continuing. Although precise figures are difficult to verify, the trend is unmistakably downward.

The U.S. favors reconciliation in El Salvador. The way to do that, we think, is to provide a process through which adversaries of the government can explore how to participate peacefully in political life within the framework of the emerging constitution and institutions of El Salvador. President Magana is setting up such a means in the Peace Commission.

You expressed your concern that eight leaders of the Democratic Revolutionary Front, the guerrilla political coalition, were arrested last month. These individuals have been charged under Salvadoran law with conspiracy and sabotage against the state and are being detained while an investigation is conducted. On November 17 an Embassy officer visited seven of the eight people at Mariona Prison. All were in excellent physical condition and good spirits. None complained of mistreatment. The eighth person arrested is in a women's prison and will soon be visited by an Embassy officer. We will continue to follow this situation closely.

The Honorable
Edward M. Kennedy,
United States Senate.

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s): _____

Declassify: ☐ In Part ☐ In Full

☐ Classify as ____ ☐ Extend as ____ ☐ Downgrade to ____

Date _____ Declassify on _____ Reason _____

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The Embassy also has inquired into the whereabouts of the seven labor leaders who have disappeared. The Director of the National Police has stated that he has no information on them. Nevertheless, the Embassy will continue to try to ascertain what may have happened to these individuals.

As you know we are following very closely the status of the investigations into the murders of the two AIFLD officials and the four American churchwomen. In the latter case the legal proceeding has entered the "plenario" stage in which all evidence is turned over to the trial judge. Five Guardsmen have been charged and are now under detention. The evidence gathered to date does not support the charge of higher level involvement. Nevertheless, we will pursue all credible allegations, no matter where they may lead.

In the AIFLD case the two individuals who we believe actually committed the murders have confessed and are in jail awaiting trial. They have implicated two National Guard officers, one of whom has fled El Salvador. The other was released last month by a Salvadoran judge for "insufficient evidence." We have told the Salvadoran Government that we are gravely concerned by this decision and will continue to press the Government for justice in this case.

In the case of Chile, the Government brought about substantial, concrete improvements in human rights over the serious situation which existed in 1976. There have been no reported disappearances since 1977 and most political prisoners were released or allowed to go into exile in 1978. There has been relatively less progress during the past two years and problems remain. In this connection, we note, however, that the Chilean Government recently announced the formation of a commission to review the cases of all Chileans presently living in exile. This could be an important step forward, although we must see actual results to evaluate its real significance. The matter of certification for Chile continues under review in the Department and I am unable to predict when a decision will be made.]

In Argentina, although some problems remain, significant and encouraging changes have occurred. Many consider the most important development to be the Argentine Government's public commitment to the holding of elections and the restoration of constitutional government no later than March 1984. Restraints on political activity already have been relaxed. The Government has promulgated a political parties law and most parties (even the Communists) have already held large public rallies. The press is visibly less inhibited than at any time since the early 1970's. Despite the recent closure of three publications and government sensitivity to criticism of the military, freedom to discuss political and social questions has expanded and criticism of government policies and programs is now a matter of course.

No long-term "disappearances" were reported in Argentina in 1982, nor any new PEN political arrests. Almost half of the remaining political prisoners were released during 1982. The tragic issue of the large number of "disappearances", which occurred primarily in the mid-to-late 1970's is a matter of great sensitivity in Argentina and is a major domestic political issue which ultimately will have to be resolved by the Argentines themselves. The United States Government has consistently encouraged the Argentine Government to make available whatever information it may have to the families of the missing persons.

Thus, while recognizing the uncertainties that exist in a situation as complex as that of Argentina, the recent overall record of restoring political liberties and individual rights is therefore a positive one. That said, no decision has been made on certification for Argentina, nor has a specific date been established for making that decision.

Thank you for sharing your views and concerns with us. You may be assured that this Administration remains committed to a policy of promoting respect for human rights. We take the certification process seriously in all three

cases and any decisions made in the future will conform closely to the requirements, including human rights, set forth by the Congress.

With cordial regards.

Sincerely,

Powell A. Moore
Assistant Secretary for
Congressional Relations

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